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In re Application of :
Lisa Marie Thomasco et al :
Serial No.: 09/738,022 : PETITION DECISION
Filed: December 15, 2000 :
Attorney Docket No.: PHRM0027-101 :

This is in response to the petition under 37 CFR 1.181, filed November 3, 2003, for withdrawal of abandonment of the above identified application based on filing of a timely reply. The delay in acting on this petition is regretted.

A review of the file history shows that the examiner mailed an Office action to applicants on January 15, 2003, setting a one month shortened statutory period for reply. Upon failure to receive a reply, a Notice of Abandonment was mailed to applicants on September 5, 2003. Applicants state that they replied on January 31, 2003, by facsimile transmission and provide a copy of an Office generated confirmation of facsimile transmission as evidence thereof. The reply has not been located and the copy of the reply provided with the petition will be utilized. In view of the timely reply the Notice of Abandonment was mailed in error and is withdrawn and the application is restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

The application will be forwarded to the examiner for further action.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number, 703-872-9306.


Bruce M. Kisliuk
Director, Technology Center 1600